



## U.S. Department of Justice

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February 25, 2022

### **VIA CM/ECF**

The Honorable Leonard P. Stark  
United States District Court  
J. Caleb Boggs Federal Building  
844 King Street  
Wilmington, Delaware 19801

**Re: United States v. Brenda Mathis, Criminal Case No. 21-3-LPS**

Dear Judge Stark,

The government writes on behalf of the parties in the above-captioned case in response to the Court's Order to file a Status Report (D.I. 29). The undersigned and Eugene Maurer, attorney for defendant Brenda Mathis, have conferred in advance of this filing.

On January 26, 2021, Ms. Mathis was indicted by the Grand Jury with one count of wire fraud, in violation of 18 U.S.C. § 1343, one count of theft of government property, in violation of 18 U.S.C. § 641, and three counts of tax evasion, in violation of 26 U.S.C. § 7201 (D.I. 1). Since, the parties have been in discussions about a non-trial resolution of the case, but have been unable to reach an agreement. While the parties remain hopeful that the case can resolve without a trial, the parties recognize that the case has been pending for over a year, and now request that a trial date be set.

The government expects that it will require four days to present its case in chief. The defense expects it will require at most two days to present its case. Therefore, the parties request that a trial of six days be scheduled to begin on or after August 15, 2022, at the convenience of the Court. The parties request that the time between this report and the trial date be excluded under the Speedy Trial Act as the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

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A proposed Order is included herewith. Counsel is available if Your Honor has any questions.

Respectfully Submitted,

DAVID C. WEISS  
United States Attorney

By: Ruth Mandelbaum  
Ruth Mandelbaum  
Assistant United States Attorney

cc: Eugene Maurer, Esq. (via CM/ECF)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Crim. No. 21-3-LPS
	)	
BRENDA MATHIS,	)	
	)	
Defendant.	)	

**ORDER**

In the United States District Court for the District of Delaware, this \_\_\_\_ day of \_\_\_\_\_, 2022, having considered the Status Report dated February 25, 2022,

IT IS HEREBY ORDERED that:

1. A jury trial (estimated to be six days in length) is scheduled to begin on \_\_\_\_\_, 2022, in Courtroom \_\_\_\_\_. Counsel shall be present in the Courtroom at \_\_\_\_\_ a.m. on that day and each succeeding day of trial.
2. A pretrial conference is scheduled for \_\_\_\_\_, 2022, at \_\_\_\_\_ a.m. in Courtroom \_\_\_\_\_.
3. By 5:00 p.m. on \_\_\_\_\_, 2022, the parties shall file a joint request for proposed jury instructions, any joint or individual requests for special voir dire, and any motions in limine. If the parties are unable to agree on particular jury instructions, the parties' requests and authority for differing requests shall be set out adjacently within the joint request (so that the points of dispute can be quickly discerned). Any motion in limine should not exceed four pages in length, including argument. Any motion in limine should include a representation that the moving party has specifically discussed the subject matter of the motion in limine with the non-moving party, and that the non-moving party opposes the motion. The non-moving party may file a response to the motion

in limine no later than two days before the pretrial conference and all parties should be prepared to discuss the motions in limine at the pretrial conference.

4. The time from February 25, 2022 until \_\_\_\_\_, 2022 is excluded under the Speedy Trial Act, because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

IT IS FURTHER ORDERED that the foregoing schedule may only be modified with the permission of the Court for good cause shown.

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UNITED STATES DISTRICT JUDGE